

"Express Mail" mailing label number EL893497304 US

Date of Deposit: January 31, 2003

13
RECEIVED
FEB 12 2003
TECH CENTER 1600/2900
Case No. 659/764
2003 FEB - 3 PM 2:32

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gary L. Shanklin et al.

Serial No.: 09/753,136

Examiner: Sharon L. Howard

Filed: December 29, 2000

Group Art Unit: 1615

For: ANTI-VIRAL LOTION
TISSUE, AND METHODS
FOR MAKING AND USING
THE SAME

BOARD OF PATENT APPEALS
AND INTERFERENCES

02/11/2003 RHARMON 00000012 09753136 NOTICE OF APPEAL FROM THE EXAMINER
01 FC:1402 TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
320.00 QP

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

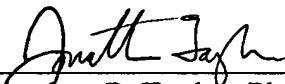
Applicant hereby appeals to the Board of Appeals from the decision dated October 2, 2002 of the Examiner finally rejecting Claims 1-5, 10-18, 23-25, and 27-29. It is noted for the record that, in view of Applicant's election of species included in the Response to Office Action filed July 11, 2002, Claims 1-7, 10-20, and 23-30 are pending in the application.

The item(s) checked below are appropriate:

1. An extension of time to respond to the final rejection was filed on this same date for one (1) month.
2. A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.
3. Fee \$320.00 Other than a Small Entity
 Enclosed
 Not required (Fee paid in prior appeal)
 Charge to Deposit Account No. 23-1925 (One additional copy of this Notice enclosed herewith)
 The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
4. I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Dated: January 31, 2003



Jonathan P. Taylor, Ph.D.
Registration No. 48,338
Agent for Applicant

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60610
(312)321-4200

RECEIVE

FEB - 5 2003

TECH CENTER 1600/2900

TRANSMITTAL LETTER			Case No. 659764
Serial No. 09/753,136	Filing Date December 29, 2000	Examiner Sharon L. Howard	Group Art Unit 1615
Inventor(s) Gary L. Shanklin et al.			
Title of Invention Anti-Viral Lotion Tissue, and Methods for Making and Using the Same			

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences, and return postcard.

Small entity status of this application under 37 CFR § 1.27 has been established by verified statement previously submitted.

Applicant claims small entity status. See 37 CFR 1.27.

Petition for a one month extension of time and check for \$110.

No additional fee is required.

The fee has been calculated as shown below:

					Small Entity		Other Than Small Entity	
					Rate	Add'l Fee	Rate	Add'l Fee
Total	Claims Remaining After Amendment	Minus	Highest No. Previously Paid For	Present Extra	x \$9 =		x \$18 =	
Indep.		Minus			x 42 =		x \$84 =	
First Presentation of Multiple Dep. Claim					+ \$140 =		+ \$280 =	
					Total add'l fee	\$	Total add'l fee	\$

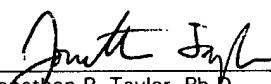
Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$_____. A duplicate copy of this sheet is enclosed.

A check in the amount of \$320 to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,



Jonathan P. Taylor, Ph.D.
Registration No. 48,338
Agent for Applicant

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200

"Express Mail" mailing label number EL893497304 US

Date of Deposit: January 31, 2003

RECEIVED
203 FEB - 3 PM 2:31
BOARD OF PATENT APPEALS
AND INTERFERENCES